

DANIEL G. BOGDEN
United States Attorney
District of Nevada
BLAINE T. WELSH
Assistant United States Attorney
Nevada Bar. No. 4790
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
Phone: (702) 388-6336
Facsimile: (702) 388-6787
Email: Blaine.Welsh@usdoj.gov

DAVID C. SHONKA
Acting General Counsel
NIKHIL SINGHVI
JASON D. SCHALL
HELEN P. WONG
IOANA RUSU
COURTNEY A. ESTEP
THOMAS KANE
Federal Trade Commission
600 Pennsylvania Avenue, NW
Mailstop CC-10232
Washington, D.C. 20580
Phone: (202) 326-3480 (Singhvi)
Facsimile: (202) 326-3768
Email: nsinghvi@ftc.gov (Singhvi); jschall@ftc.gov (Schall)
Attorneys for Plaintiff Federal Trade Commission

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMG Services, Inc. et al.,

Defendants, and

Park 269 LLC, et al.,

Relief Defendants.

Case No. 2:12-cv-536

**STIPULATION AND JOINT
MOTION TO EXPEDITE
BRIEFING REGARDING ASSET
FREEZE AND ACCOUNTING
ORDER**

1 Plaintiff Federal Trade Commission (“FTC”), and Scott Tucker, Nereyda Tucker, as Executor of
2 the Estate of Blaine Tucker, Black Creek Capital Corporation, Level 5 Motorsports LLC, LeadFlash
3 Consulting LLC, Broadmoor Capital Partners, LLC, and AMG Capital Management, LLC (the “Tucker
4 Defendants”) jointly move the Court for an order expediting the parties’ briefing regarding the Court’s
5 asset freeze and accounting order (ECF No. 960, the “Order”) and state as follows:

6 1. The FTC on April 26, 2016 filed a motion for order to show cause why Scott Tucker should
7 not be held in contempt (ECF No. 974), and the Tucker Defendants on the same date filed a motion to
8 reconsider and/or modify the order (ECF No. 975.) The FTC requests expedited consideration of its
9 motion to access additional information and documents necessary to identify relevant assets and notify the
10 holders of assets of their duties under the Order. The Tucker Defendants request expedited consideration
11 of their motion to preserve Mr. Tucker’s Sixth Amendment rights and to secure the release of advance
12 deposit funds or permission to release a reasonable flat fee so that criminal defense counsel can defend the
13 complex criminal case pending in the Southern District of New York.

14 2. The parties jointly request that the Court expedite consideration of those motions, and agree
15 to the following briefing schedule. Responding memoranda shall be filed by May 3, 2016, and reply
16 memoranda shall be filed by May 9, 2016.

17 \

18 \

19 \

20 \

21 \

22 \

23 \

24 \

25 \

26 \

27 \

28 \

1 Dated: May 3, 2016

2 /s/ Nikhil Singhvi

/s/ Nick Kurt

3
4 Nikhil Singhvi
5 Federal Trade Commission
6 600 Pennsylvania Ave., NW
7 Mailstop CC-10232
8 Washington, DC 20580
9 nsinghvi@ftc.gov
10 Tel. (202) 326-3480
11 Fax (202) 326-3629

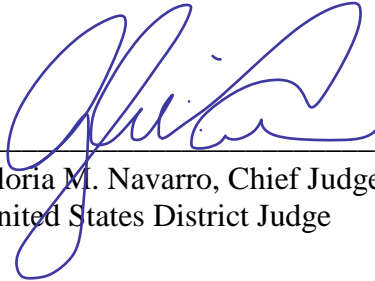
Nick Kurt
Berkowitz Oliver Williams Shaw & Eisenbrandt LLP
2600 Grand Boulevard,
Suite 1200
Kansas City, MO 64108
NKurt@BerkowitzOliver.com
Phone: 816-561-7007
Fax: 816-561-1888

12 *Attorney for Plaintiff Federal Trade Commission*

*Attorney for Defendants Scott Tucker, Nereyda
Tucker, as Executor of the Estate of Blaine Tucker,
Black Creek Capital Corporation, Level 5
Motorsports LLC, LeadFlash Consulting LLC,
Broadmoor Capital Partners, LLC, and AMG Capital
Management, LLC*

14 **IT IS SO ORDERED.** Dated

15 this 3 day of May, 2016

16
17
18 
19 Gloria M. Navarro, Chief Judge
20 United States District Judge
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, Nikhil Singhvi, certify that, as indicated below, all parties were served by ECF with **STIPULATION AND JOINT MOTION TO EXPEDITE BRIEFING REGARDING ASSET FREEZE AND ACCOUNTING ORDER** filed with the Court.

Von S. Heinz (vheinz@lrrc.com)

Darren J. Lemieux (dlemieux@lrrc.com)

E. Leif Reid (lreid@lrrc.com)

Jeffrey D. Morris (jmorris@berkowitzoliver.com)

Ryan C. Hudson (rhudson@berkowitzoliver.com)

Nick J. Kurt (nkurt@berkowitzoliver.com)

Justin C. Griffin (justingriffin@quinnemanuel.com)

Sanford I. Weisburst (sandyweisburst@quinnemanuel.com)

Kathleen Sullivan (kathleensullivan@quinnemanuel.com)

Attorneys for Defendants AMG Capital Management, LLC; Level 5 Motorsports, LLC; LeadFlash Consulting, LLC; Black Creek Capital Corporation; Broadmoor Capital Partners, LLC; Scott A. Tucker; Nereyda M. Tucker, as Executor of the Estate of Blaine A. Tucker

Patrick J. Reilly (preilly@hollandhart.com)

Linda C. McFee (lmcfee@mcdowellrice.com)

Robert Peter Smith (petesmith@mcdowellrice.com)

Attorneys for Relief Defendants Kim C. Tucker and Park 269 LLC

Victoria W. Ni (vni@publicjustice.net)

Craig B. Friedberg (attcbf@cox.net)

Attorneys for Intervenor Americans for Financial Reform

May 3, 2016

/s/ Nikhil Singhvi

Nikhil Singhvi